## IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF NORTH CAROLINA CHARLOTTE DIVISION

CIVIL ACTION NO. 3:21-CV-00458-KDB-DSC

TREX PROPERTIES LLC,	)	
	)	
Plaintiff,	)	
	)	
v.	)	<u>ORDER</u>
	)	
25TH STREET HOLDING COMPANY	)	
INC. et. al.,	)	
	)	
Defendants.	)	

**THIS MATTER** is before the Court on "Plaintiff's Motion to Strike the <u>Pro Se</u> Answer of Montgomery Industries International Inc." (document #1053).

Defendant has filed a prose Answer (document #1005).

Taking judicial notice of official documents attached to Plaintiff's Motion, it is clear that Defendant is a corporation.

"It has been the law for the better part of two centuries ... that a corporation may appear in federal courts only through licensed counsel." Rowland v. California Men's Colony, 506 U.S. 194, 201-02 (1993). Accord Gilley v. Shoffner, 345 F. Supp. 2d 563, 566 (M.D.N.C. 2004) (dismissing complaint of pro se corporate plaintiff); Microsoft Corp. v. Computer Serv. & Repair, Inc., 312 F. Supp. 2d 779, 780 (E.D.N.C. 2004) (same); Lexis-Nexis v. TraviShan Corp., 155 N.C. App. 205, 208, 573 S.E.2d 547, 549 (2002) (same).

Accordingly, "Plaintiff's Motion to Strike the <u>Pro Se</u> Answer of Montgomery Industries International Inc." (document #1053) is granted.

The Court warns Defendant that it must immediately retain counsel. Defendant is granted a thirty-day extension of time to retain counsel who shall appear and file an answer on Defendant's behalf. Failure to retain counsel may result in entry of default and default judgment.

## THEREFORE IT IS HEREBY ORDERED that:

 "Plaintiff's Motion to Strike the <u>Pro Se</u> Answer of Montgomery Industries International Inc." (document #1053) is granted and Defendant's <u>pro se</u> Answer (document #1005) is **STRICKEN**.

- 2. Defendant shall retain counsel who shall appear and file an answer within thirty days of this Order.
- 3. The Clerk is directed to send copies of this Order to <u>pro se</u> Defendant, to counsel for the parties and to the Honorable Kenneth D. Bell.

SO ORDERED.

Signed: February 15, 2022

David S. Cayer

United States Magistrate Judge